

1 William A. Levin (SBN 98592)
2 Laurel L. Simes (SBN 134637)
3 David M. Grimes (SBN 324292)
3 Samira J. Bokaie (SBN 332782)
4 **LEVIN SIMES LLP**
5 1700 Montgomery Street, Suite 250,
6 San Francisco, CA 94111
7 Phone: (415) 426-3000
8 Facsimile: (415) 426-3001
9 Email: wlevin@levinsimes.com
10 Email: llsimes@levinsimes.com
11 Email: dgrimes@levinsimes.com
12 Email: sbokaie@levinsimes.com
13 *Attorneys for Plaintiff Jane Doe LS 238*

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16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**
18 **SAN FRANCISCO DIVISION**

19
20 IN RE: UBER TECHNOLOGIES, INC.,
21 PASSENGER SEXUAL ASSAULT
22 LITIGATION

23 MDL No. 3084 CRB

24 Honorable Charles R. Breyer

25 JURY TRIAL DEMANDED

26 This Document Relates to:

27 *Jane Doe LS 238 v. Uber Technologies, Inc., et
al., Case No. 3:23-cv-04372-CRB*

28
29 **SHORT-FORM COMPLAINT AND DEMAND FOR JURY TRIAL**

30 The Plaintiff named below files this *Short-Form Complaint and Demand for Jury Trial*
31 against Defendants named below by and through the undersigned counsel. Plaintiff incorporates
32 by reference the allegations contained in *Plaintiffs' Master Long-Form Complaint* in *In Re: Uber*
33 *Technologies, Inc., Passenger Sexual Assault Litigation*, MDL No. 3084 in the United States
34 District Court for the Northern District of California. Plaintiff files this *Short-Form Complaint* as
35 permitted by Case Management Order No. 11 of this Court.

36 Plaintiff selects and indicates by checking-off where requested, the Parties and Causes of
37 Actions specific to this case.

38 Plaintiff, by and through their undersigned counsel, allege as follows:

I. DESIGNATED FORUM¹

1. Identify the Federal District Court in which the Plaintiff would have filed in the absence of direct filing:

United States District Court, Northern District of California

(“Transferee District Court”).

II. IDENTIFICATION OF PARTIES

A. PLAINTIFF

1. *Injured Plaintiff:* Name of the individual who alleges they were sexually assaulted, battered, harassed, or otherwise attacked by an Uber driver with whom they were paired while using the Uber platform:

Jane Doe LS 238

(“Plaintiff”).

2. At the time of the filing of this *Short-Form Complaint*, Plaintiff resides at:

St. Paul, Ramsey County, Minnesota

3. (If applicable) _____ is filing this case in a representative capacity as the _____ of the _____ and has authority to act in this representative capacity because _____.

B. DEFENDANT(S)

1. Plaintiff names the following Defendants in this action.

[BEFORE PROCEEDING - PLEASE CAREFULLY READ AND CONSIDER THE PLACES OF INCORPORATION AND PRINCIPAL PLACE OF BUSINESS OR RESIDENCE OF EACH DEFENDANT BEFORE SELECTING TO ENSURE THAT YOU ARE NOT NAMING ANY DEFENDANTS FROM THE SAME STATE AS THE PLAINTIFF. THE PLACE OF INCORPORATION, PRINCIPAL PLACE OF BUSINESS OR RESIDENCE OF EACH DEFENDANT IS IN THE FOOTNOTES FOR YOUR CONVENIENCE]:

☒ UBER TECHNOLOGIES, INC.;²

¹ See Pretrial Order No. 6, at II(C) (ECF No. 177).

² Delaware corporation with a principal place of business in California.

RASIER, LLC;³

☒ RASIER-CA, LLC.⁴

OTHER (specify): _____ . This defendant's residence is in (specify state): _____ .

C. RIDE INFORMATION

1. The Plaintiff was sexually assaulted, harassed, battered, or otherwise attacked by an Uber driver in connection with a ride facilitated on the Uber platform in Hennepin County, Minnesota on January 4, 2019.
2. The Plaintiff was not the account holder of the Uber account used to request the relevant ride.
3. The Plaintiff provides the following additional information about the ride:

[PLEASE SELECT/COMPLETE ONE]

The Plaintiff hereby incorporates Plaintiff's disclosure of ride information produced pursuant to Pretrial Order No. 5 ¶ 4 on February 15, 2024 or to be produced in compliance with deadlines set forth in Pretrial Order No. 5 ¶ 4, and any amendments or supplements thereto.

The origin of the relevant ride was [STREET ADDRESS, CITY, COUNTY, STATE]. The requested destination of the relevant ride was [STREET ADDRESS, CITY, COUNTY, STATE]. The driver was named [DRIVER NAME].

III. CAUSES OF ACTION ASSERTED

1. The Causes of Action asserted in the *Plaintiffs' Master Long-Form Complaint*, and the allegations with regard thereto in the *Plaintiffs' Master Long-Form Complaint*,

³ A limited liability company whose sole member, Uber Technologies, Inc., is a citizen of Delaware and California.

⁴ A limited liability company whose sole member, Uber Technologies, Inc., is a citizen of Delaware and California.

1 are adopted in this *Short-Form Complaint* by reference, except that Plaintiff opts
 2 out of and excludes the causes of action specified below:

| 3 Check any 4 EXCLUDED 5 causes of action | 6 Cause 7 of 8 Action Number | 9 Cause of Action |
|--|---|---|
| 10 <input type="checkbox"/> | 11 I | 12 NEGLIGENCE (including Negligent Hiring, Retention, Supervision, 13 and Entrustment) |
| 14 <input type="checkbox"/> | 15 II | 16 FRAUD AND MISREPRESENTATION |
| 17 <input type="checkbox"/> | 18 III | 19 NEGLIGENT INFILCTION OF EMOTIONAL DISTRESS |
| 20 <input type="checkbox"/> | 21 IV | 22 COMMON CARRIER'S NON-DELEGABLE DUTY TO PROVIDE 23 SAFE TRANSPORTATION ⁵ |
| 24 <input type="checkbox"/> | 25 V | 26 OTHER NON-DELEGABLE DUTIES TO PROVIDE SAFE 27 TRANSPORTATION ⁶ |
| 28 <input type="checkbox"/> | 29 VI | 30 VICARIOUS LIABILITY FOR DRIVERS' TORTS – EMPLOYEE |
| 31 <input type="checkbox"/> | 32 VII | 33 VICARIOUS LIABILITY FOR DRIVERS' TORTS – APPARENT 34 AGENCY |
| 35 <input type="checkbox"/> | 36 VIII | 37 VICARIOUS LIABILITY FOR DRIVERS' TORTS – 38 RATIFICATION |
| 39 <input type="checkbox"/> | 40 IX | 41 VICARIOUS LIABILITY FOR DRIVERS' TORTS – Cal. Public 42 Utilities Code § 535 |
| 43 <input type="checkbox"/> | 44 X | 45 STRICT PRODUCTS LIABILITY – DESIGN DEFECT |
| 46 <input type="checkbox"/> | 47 XI | 48 STRICT PRODUCTS LIABILITY – FAILURE TO WARN |
| 49 <input type="checkbox"/> | 50 XII | 51 STRICT PRODUCTS LIABILITY – PRODUCT LIABILITY ACTS |
| 52 <input type="checkbox"/> | 53 XIII | 54 UNFAIR COMPETITION LAW – Cal. Bus. & Prof. Code § 17200 55 et seq. |

20 **VI. ADDITIONAL CAUSES OF ACTION AND/OR ALLEGATIONS**

21 **NOTE**

22 If Plaintiff wants to allege additional Cause(s) of Action other those selected in paragraph __, the
 23 specific facts supporting any such additional Cause(s) of Action, must be pled in a manner complying

24 _____

25 ⁵ This claim is pleaded in the *Plaintiffs' Master Long-Form Complaint* under the laws of every
 26 state except: **Arizona, Colorado, District of Columbia, Illinois** (for incidents prior to August
 27 11, 2023), **Michigan, Montana** (for incidents prior to April 23, 2023), **New York,**
Pennsylvania, Wisconsin, and Wyoming.

28 ⁶ This claim is pleaded in *Plaintiffs' Master Long-Form Complaint* under the laws of every state
 29 except: **District of Columbia, Michigan, New York, Pennsylvania.**

1 with the requirements of the Federal Rules of Civil Procedure (see paragraph __). In doing so you may
2 attach additional pages to this *Short-Form Complaint*.

3 1. Plaintiff asserts the following additional theories against the Defendants
4 designated in paragraph B(1) above:

5 N/A

6 2. If Plaintiff has additional factual allegations not set forth in *Plaintiffs' Master*
7 *Long-Form Complaint*, they may be set forth below or in additional pages:

8 N/A

9 **WHEREFORE**, Plaintiff prays for relief and judgment against Defendants for economic
10 and non-economic compensatory and punitive and exemplary damages, together with interest,
11 costs of suit, attorneys' fees, and all such other relief as the Court deems proper, and such further
12 relief as the Court deems equitable and just, and as set forth in *Plaintiffs' Master Long-Form*
13 *Complaint*.

14 **JURY DEMAND**

15 Plaintiff hereby demands a trial by jury as to all claims in this action.

16 Dated: April 10, 2024

17 Respectfully Submitted,
18 
19 William A. Levin
20 Attorneys for Plaintiff Jane Doe LS 238

21 **CERTIFICATE OF SERVICE**

22 I hereby certify that on April 10, 2024, I electronically filed the above document with the
23 Clerk of Court using the CM/ECF system which automatically sends notification of the filing to
24 all counsel of record. In addition, the foregoing was served on Defendants' counsel via email at:
25 MDL3084-service-Uber@paulweiss.com.

26 By: /s/ William A. Levin